

ASSEMBLY BILL

No. 785

Introduced by Assembly Member Weber

February 21, 2013

An act to add Section 20140 to the Government Code, relating to the Public Employees' Retirement System, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 785, as introduced, Weber. Public Employees' Retirement System: Board of Administration: direct mailing assistance.

Existing law establishes the Public Employees' Retirement System, which is governed by its Board of Administration. Existing law establishes the powers and duties of the board and generally requires that the board and its officers and employees discharge their duties with respect to the system solely in the interest of the participant and beneficiaries. Existing law creates the Public Employees' Retirement Fund, a trust fund that is continuously appropriated solely for the benefit of the members, annuitants, and their survivors and beneficiaries.

This bill would authorize an organization that provides employee representation or membership services to annuitants of the system to submit a request to the board for assistance in performing direct mailing, subject to specified requirements. The bill would require the board, upon receiving a request, to provide a direct mailing to the annuitants of the system who are members of the organization or eligible to become members of the organization. The bill would require the organization to provide the board with copies of all materials that will be included in the direct mailing. The bill would require the organization requesting the direct mailing to pay all reasonable expenses of the mailing. By

authorizing continuously appropriated funds to be used for a new purpose, this bill would make an appropriation. The bill would also make a statement of legislative findings and declarations.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares that, in the
2 interest of administering the Public Employees' Retirement System
3 in a manner that will assure prompt delivery of benefits and related
4 services to the participants and their beneficiaries, the Board of
5 Administration of the Public Employees' Retirement System shall
6 provide assistance to organizations that provide employee
7 representation or membership services to annuitants of the system
8 as required by the provisions of this act.

9 SEC. 2. Section 20140 is added to the Government Code, to
10 read:

11 20140. (a) An organization that provides employee
12 representation or membership services to annuitants of the system
13 may submit a request to the board for assistance in performing
14 direct mailings to annuitants of the system who are members of
15 the organization or eligible to become members of the organization.
16 Upon receiving a request, the board shall provide a direct mailing
17 to the annuitants of the system who are members of the
18 organization or eligible to become members of the organization,
19 subject to the requirements of this section. The organization shall
20 provide the board with copies of all materials that will be included
21 in the direct mailing.

22 (b) The direct mailings authorized in subdivision (a) may be for
23 any lawful purpose other than the supporting or opposing any
24 political party, ballot measure, or candidate in any election,
25 including any election within the organization. The board shall
26 provide the data for addressing envelopes for the direct mailing
27 only to a mail processing center mutually agreed upon by the board
28 and the organization making the request under a secure data sharing
29 agreement with the mail processing center under which neither
30 the organization nor any other entity shall have direct access to
31 any names or addresses. The board shall not be required to notify

- 1 an annuitant whose data is released to a mail processing center in
- 2 connection with a direct mailing made pursuant to these provisions.
- 3 (c) The organization requesting the direct mailing shall pay any
- 4 and all reasonable expenses of the mailing.

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